

**LAW OFFICES OF  
EDWARD N. TOBIAS, L.L.C.**  
226 Richwood Road  
Mullica Hill, New Jersey 08062  
(732) 766-3903  
**ATTORNEYS PRO SE FOR:**  
**Edward N. Tobias and Suzanne  
Koegler**

EDWARD N. TOBIAS and  
SUZANNE M. KOEGLER

Claimant(s).

In re:

RESIDENTIAL CAPITAL, LLC, et al.

Debtor(s)

**UNITED STATES BANKRUPTCY  
COURT**

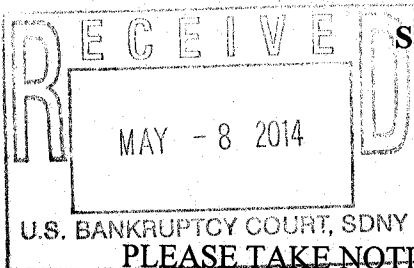
**SOUTHERN DISTRICT OF NEW  
YORK**

**CASE NO.**

**12-12020 (MG)**

**CHAPTER 11  
JOINTLY ADMINISTERED**

**NOTICE OF OBJECTION TO RESCAP BORROWERS CLAIMS TRUST'S SIXTY-  
FIRST OMNIBUS OBJECTION TO CLAIMS  
(NO LIABILITY BORROWER CLAIMS)**



**Suzanne Koegler and Edward Tobias**

**Claim No(s) 1466 and 1467  
Filed 10/22/12**

**PLEASE TAKE NOTICE** that Claimant(s) Suzanne Koegler and Edward Tobias hereby object to RESCAP BORROWERS CLAIMS TRUST'S SIXTY-FIRST OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY BORROWER CLAIMS).

1. At the time of the bankruptcy filing of GMAC Mortgage, LLC and other related entities (GMAC), claimants were current loan customers based on loans originated and serviced

by one of the debtors for the properties located at 75 Princeton Oval, Freehold, New Jersey and 93 Wisconsin St., Long Beach, New York. Per Claim Nos. 1466 and 1467, dated October 17, 2012 and marked as filed on October 22, 2012, claimants advised that claims for damages based on Consumer Fraud or other claim / affirmative defenses to foreclosure requesting monetary relief were being made in the amount of \$1,000,000.00 for each property. At the time of filing, documents were not available because the Complaint in the matter(s) had not yet been filed.

2. On October 28, 2013, a Complaint was filed by Claimant(s) against Debtor(s) in the United States District Court, District of New Jersey (Civil Action No. 3:13-CV-6471 (JAP(TJB))) and served on or about November 27, 2013; the Complaint sets forth the basis for the amount of the Claim. (See attached Exhibits "A" and "B").
3. On December 26, 2013, Attorneys for Debtor(s)/Defendant(s) filed a Notice of Motion to Dismiss the Complaint and Corporate Disclosure Statements of Defendants GMAC Mortgage, LLC, Ocwen Financial Corporation, and Ocwen Loan Servicing, LLC. (See attached Exhibits "C" and "D").
4. On April 16, 2014, Claimant(s)/Plaintiff(s) filed a Motion for Leave to File an Amended Complaint setting forth proposed Amendments to the Complaint. (See attached Exhibits "E" and "F").

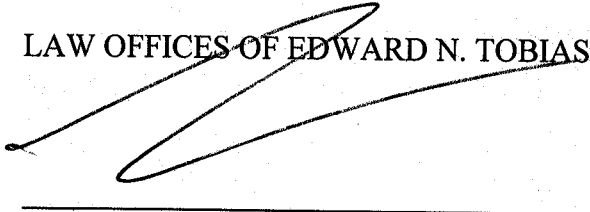
5. On May 5, 2014, Attorneys for Debtor(s)/Defendant(s) filed a Memorandum of Law In Opposition to Plaintiff(s)' Motion for Leave to File an Amended Complaint. (See attached Exhibits "G").
6. To date, the Court has not rendered a decision regarding these Motions.
7. Accordingly, Claimant(s) object on the basis that Debtor(s)' Reason for Disallowance is premature because the underlying issues set forth in the Complaint have not yet been adjudicated. As such, the determination by the Trust of no liability for the amount of claim is unsupported until final disposition by the District Court and/or Bankruptcy Court.
8. Notice is hereby given that the Trust should direct correspondence and reply to this response to the current address of the Claimant(s):  
  
Suzanne Koegler and Edward Tobias  
226 Richwood Road  
Mullica Hill, New Jersey 08062
9. Claimant(s) Suzanne Koegler and Edward Tobias possess ultimate authority to reconcile, settle, or otherwise resolve these claim(s); the telephone number of Claimant(s) is (732) 766-3903.

For the reasons identified above, Edward N. Tobias and Suzanne M. Koegler request that the Bankruptcy Court grant Claimant(s) OBJECTION TO RESCAP BORROWERS CLAIMS TRUST'S SIXTY-FIRST OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY BORROWER CLAIMS).

Claimant(s) request permission to participate telephonically in the hearing, scheduled on May 29, 2014, or other date as determined by the Bankruptcy Court.

Respectfully submitted this 7th day of May, 2014.

LAW OFFICES OF EDWARD N. TOBIAS, L.L.C.



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By: Edward N. Tobias, Esq.

Dated: May 7, 2014